

Minutes of Plan Commission Meeting April 20, 2021

Call to Order – Mayor Palm called the meeting of the Commission to order at 5:00 PM.

Roll Call – Present were Mayor Palm, Phil Wedekind, Roy Franzen, Jim O'Neill, Tom Kolb, Dee Marshall, and Matthew Boeggner.

Also in attendance were Tom Pinion, Casey Bradley, Tyson Suemnicht, Carl Pierce, Nathan Mahinski, and Rob Nelson.

Call to Order

- a. Note compliance with the Open Meeting Law. Mayor Palm noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Wedekind, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O'Neill, seconded by Kolb to approve the minutes of the March 16, 2021 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

New Business

- a. Consider proposed Amendment to the existing Conditional Use Permit for the Walnut Hill Bible Church property at 1900 East Street to allow the construction of two accessory structures and a playground – Pinion gave background for the request saying that Walnut Hill Bible Church is planning a couple of new buildings, additional landscaping, and small playground. The church is proposing a garage in the northeast corner of the property, a shelter toward the southeast corner, a small playground, and then a small storage building along the side the proposed shelter. Pinion stated that the proposed elevations of the buildings and proposed landscaping is included in the packet. Tyson Suemnicht introduced himself to the Commission. Pinion said that Walnut Hill Bible Church was originally approved as a CUP in 1998. Palm asked what the ground surface would be underneath the shelter, Suemnicht answered concrete. It was moved by Kolb, seconded by Wedekind to approve the Amendment to the existing Conditional Use Permit for the Walnut Hill Bible Church property as proposed. On roll call vote for the motion, Ayes – O'Neill, Kolb, Marshall, Boeggner, Palm, Wedekind, and Franzen. Nay – 0, motion carried 7-0.
- b. Consider proposed Amendment to existing Conditional Use Permit for the Driftless Glen Distillery property at 300 Water Street to allow an expansion of the patio area of the Distillery building, an addition on the north side of the easterly Rick House building, and the addition of a storage building at 114 Ash Street that will exclusively serve the operations of the Driftless Glen Distillery – Pinion presented the background for the request. Pinion said that 114 Ash is an existing building that Driftless Glen has acquired and will be using it as a storage building to compliment the principal use of the distillery. He said even though it is off premise it is really an accessory structure to that principal building across the alley. Pinion then presented the patio addition, which is already complete. He said that the current rick house is 70x100 and they are proposing to put a 100x40 addition to the front side of it. Carl Pierce stated that they are advancing the sprinkler system in Rick House No. 2 this week, and moving forward it is in the plans of sprinkling Rick House No. 1 as well as the new addition going on to it. He said that the distillery had a variance when those buildings were originally built for barrel storage and they were not required to be sprinkled, but their insurance company is now driving it. Kolb would like some type of brick on the north side because it is visible from Water Street. Kolb questioned Pinion regarding the original flood plain issue. Pinion said that the City went to great lengths to prep this site and remove all regulatory obstacles from it. Therefore, anything that was outside of the floodway, which is defined by the ordinary high water mark of the bank of the river. He said anything that would protrude into the floodway would require special dispensation from the DNR so they would provide evidence that it did not obstruct it and apparently

the maps that were adopted as the new flood insurance rate maps were not updated in accordance with the topography that was provided to them. Kolb asked if an updated liquor license is need for the patio expansion. Pinion said that he is not involved in the issuance of liquor licenses, but it is his understanding that it includes a very distinct description of the premises being licensed, so if they intend to expand the patio, it is his understanding that they would need to amend their premise description on their liquor license, but that is something that is outside the purview of the Plan Commission, it is a licensing regulation and that is coordinated through the City Clerk and Police Chief. Kolb asked if the three original trees could be moved to fill the green space. Pierce said his plan is to move all three, one is quite large, but he is sure that two will survive. Kolb asked Pierce if there was a plan to do anything with the front of the property that was purchased. Pierce said that the building will definitely receive a facelift and there was some talk on the south side of that building facing the alley of the possibility of some type of mural. He said at the very least it would get a fresh coat of paint. Kolb suggested working with the Baraboo Public Art Association. It was moved by Kolb to approve the amendment to the existing conditional use permit for the Driftless Glen Distillery providing there is a certificate of approval from the DNR that the floodway will not be obstructed, if necessary the liquor license be amended to allow liquor sales on the expanded patio, relocating the existing trees to the green area west of the property, and paint the south wall of the storage building roughly the same color as the Rick House, pending a joint project with Baraboo Public Arts.. Wedekind seconded the motion. On roll call vote the motion, Ayes – Kolb, Marshall, Boeggner, Palm, Wedekind, Franzen, and O'Neill. Nay – 0, motion carried 7-0.

- c. Review and Recommendation to Amend the City of Baraboo Comprehensive Plan to change the Planned Land Use of the City-owned 120-acres south of STH 33 on the east side of the city, being the East half of the SW1/4 of Section 31, T12N, R7E and the NE1/4 of the NW1/4 of Section 6, T11N, R7E, from a mixture of Planned Business, Planned Mixed Use, and Planned Ag/Rural/Vacant to a mixture of Mixed Residential and Parks/Open Space – Pinion said that the City purchased this 120 acres in 2003. Pinion presented the mid-2000 Planned Land Use Map from the Comp Plan. He said the proposed land use based on the negotiations that the City has undertaken with a local developer is mixed residential along with a conservancy area. Pinion said that in order to the change the zoning it needs to be consistent with the Land Use Plan and the proposed land use so the City is looking at doing these consecutively on a concurrent schedule, Land Use Plan Amendment first, and if that is agreeable to everyone then it is the zoning with joint public hearings at the end of May. He said Comprehensive Plan updates and amendments follow the same general procedures as rezoning. Pinion then presented the proposed concept plan to the Commission. He said that the northern 40 is going to be primarily residential and little higher density. It is contemplated to have 12 16-unit buildings, and then proceeding eastward would be 4-plexes, and the owner's preference or initial concept is zero-lot line four-plexes; then possible duplexes along the east side, and predominately the single family homes would be the southern half or two-thirds of the developable property. Pinion said the stormwater management would be easily done. He said that any time there is a subdivision there has to be a formal park. Wedekind asked if the City would keep control of all the separate lots. Pinion said that it is on a phased basis is how it is being conceived, so the developer's primary interest is to start with the multi-family; therefore, the City would maintain ownership until he completed his requisite conditions. Pinion said that he feels this is a win/win situation. Kolb likes the density but is concerned about the ingress and egress to that property. Pinion said that he has had those discussion with the Department of Transportation and from the City perspective, especially from public safety, both police, fire and EMS they would absolutely insist on having two access points to the property. It was moved by Wedekind to amend the City of Baraboo Comprehensive Plan. O'Neill seconded the motion. On roll call vote for the motion, Ayes – Marshall, Boeggner, Palm, Wedekind, Franzen, O'Neill, and Kolb. Nay – 0, motion carried 7-0.

- d. Review and Recommendation to Rezone the City-owned 120-acres south of STH 33 on the east side of the city, being the east half of the SW1/4 of Section 31, T12N, R7E and the NE1/4 of the NW1/4 of Section 6, T11N, R7E, from A-1 Agricultural Transition to a combination of R-1A Single Family Residential, R-3, Three and Four Family Residential, R-5 Thirteen Family and Up Residential, and C-1 Conservancy District – Pinion presented background to the Commission. He said based on the proposed amendment to the Land Use Map in the Comprehensive Plan the zoning would follow that. The mixed residential would be R-1A which is exclusively single family, R-3, which allows anything from a single family up to a four-plex, and then R-5 which is 13 units and up. Pinion said that the City would retain ownership of the entire conservancy area. It was moved by Wedekind, seconded by Marshall to recommend rezoning the City-owned 120-acres south of STH 33 as proposed. On roll call vote for the motion, Ayes – Boeggner, Palm, Wedekind, Franzen, O'Neill, Kolb, and Marshall. Nay – 0, motion carried 7-0.

Adjournment - It was moved by Kolb, seconded by Wedekind to adjourn at 5:39 p.m. The motion carried unanimously.

Mike Palm, Mayor